

## **BYLAWS OF THE ASHEVILLE CIVIC CENTER COMMISSION**

### **ARTICLE I: NAME**

The name of this organization shall be the Asheville Civic Center Commission (herein "ACCC").

### **ARTICLE II: PURPOSES**

The purpose of the ACCC is to serve the Asheville City Council and the community at large regarding the growth and development of the Asheville Civic Center and Thomas Wolfe Auditorium (herein "Civic Center"). The Asheville Code of Ordinances, Section 2-62 states specific duties of the ACCC are:

- A. To review and make recommendations to the Civic Center director, city manager and city council on programming goals and objectives for each venue in the Civic Center.
- B. To establish a method for the handling of customer service complaints and to recommend dispositions of such complaints to the Civic Center director.
- C. To designate individual members to establish committees, who based on responsibility and expertise, may be consulted by the Civic Center director or staff on matters relating to the operational, programming or promotional needs of the Civic Center.
- D. To develop and make recommendations to the Civic Center director and the city manager regarding long range plans for the Civic Center to include, without limitation, capital improvements, new facilities and equipment, and to be available to council for referral or study of such matters.
- E. To review and make recommendations on administrative policies of the Civic Center prior to adoption (except personnel policies).
- F. To review and make recommendations to the Civic Center director, city manager and city council on proposals for changes in the fees and charges for use of Civic Center facilities.
- G. To accept gifts to the Civic Center, subject to approval of the city council, and to recommend the appropriate use of such gifts, where otherwise not specified.
- H. To encourage the promotion of sports, recreation, entertainment and cultural events and activities and to facilitate the use of the services and facilities of the Civic Center.
- I. To perform such other tasks as the city council may direct.
- J. To annually provide its recommended goals and objectives to the Civic Center director for consideration in his development of the annual budget.

### **ARTICLE III: MEMBERSHIP IN ACCC**

A. VOTING MEMBERSHIP. Pursuant to the Asheville Code of Ordinances, Section 2-61, the mayor and city council shall appoint members to the ACCC. All members appointed by city council shall be entitled to vote in questions before the membership

B. NON-VOTING MEMBERSHIP. The city manager, city finance director, Civic Center director and the Asheville Area Chamber of Commerce Director of Convention and Marketing Sales are non-voting ex officio members of the ACCC.

C. REMOVAL OF MEMBERSHIP. A voting member of the ACCC serves at the pleasure of city council and may be removed by city council for any reason.

#### **ARTICLE IV: OFFICERS AND DUTIES**

A. OFFICERS OF THE ACCC, 1. Chair. The Chair shall be elected by a majority vote of the membership of the ACCC from among its members. The term of office shall be for one (1) year, and/or until his/her successor is elected, beginning on July 1<sup>st</sup> of each year. The Chair shall be eligible for reelection. The Chair shall appoint any committees found necessary to investigate any matter before the ACCC.

2. First Vice-Chair. The Board shall elect from among its members a First Vice-Chair in the same manner and for the same term as the Chair. The First Vice-Chair shall serve as Chair in the absence of the Chair, at such times, shall have the same powers and duties as the Chair, and shall be eligible for reelection.

3. Second Vice-Chair. The ACCC shall elect from among its members a Second Vice Chair in the same manner and for the same term as the Chair. The Second Vice-Chair shall serve as First Vice-Chair in the absence of the Chair, and at such times and shall be eligible for reelection.

4. Secretary. The Secretary shall be the Civic Center Director. The Secretary shall (i) keep all records; (ii) conduct all correspondence of the Board; (iii) arrange for all required public notices to be given; and (iv) take minutes at each Board meeting that shall be kept in a permanent volume. The minutes shall reflect all important facts pertaining to each meeting and hearing, every motion acted upon by the Board, and all votes of members of the Board upon any motion or upon the final determination of any question, indicating the names of members absent or failing to vote.

#### **B. FILLING UN-EXPIRED TERMS.**

1. In the event that the Chair resigns from the Office or that the Chair no longer has membership in the ACCC, the First Vice Chair shall take the place of the Chair for the remainder of the Chair's un-expired term. Should the First Vice Chair decline the position of Chair, the Second Vice Chair shall become Chair for the Chair's remaining term. If both Vice Chairs decline to accept the Chair, the membership will immediately take nominations for a new Chair and have a Special Vote to elect a new Chair for the remainder of the resigning Chair's un-expired term. If the First Vice Chair either resigns his or her position or leaves the membership of the ACCC, the Second Vice Chair will take the place of the First Vice Chair for the remainder of the First Vice Chair's un-expired term. If the Second Vice Chair declines the position then the ACCC shall elect a new First Vice Chair pursuant to Article IV (B)(2) of these by-laws.

2. In the event a vacancy occurs with Second Vice Chair position because the member either resigned his or her position or discontinued his or her membership in the ACCC, the other members of the ACCC shall select an individual to fulfill the un-expired term. The names of the nominees to fill un-expired

terms must be introduced at least one meeting prior to which the vote occurs. Special meetings may be called for this purpose.

#### **C. ELECTIONS.**

1. Every April, the Chairman shall appoint three (3) commission members to form nominating committee. This nominating committee shall meet before the May meeting to determine a proposed slate of nominations for the Commission's May meeting.

2. During the May meeting, the nominating committee shall present its findings to the Commission. Each nominee shall either accept or deny the nomination. After the Nominating Committee presents its slate to the Commission, the Chair shall open the floor to allow the Commission additional oral nominations. No second is required for a valid nomination.

3. At the June Meeting, the Commission shall hold an election. The Commission shall elect new officers based on the May nominations. New officers shall be elected by a majority vote of the Commission members. The new officers will take office the first meeting in July.

#### **ARTICLE V: MEETINGS OF THE ACCC,**

A. REGULAR MEETINGS shall be held monthly at a date, time and place to be announced by the Chairman and properly advertised pursuant to the North Carolina Open Meetings Laws.

B. SPECIAL MEETINGS may be called by the Chairman or by one-third of the ACCC members. In order to have a valid special meeting, the Secretary must be notified of the date, time and place and purpose of the meeting. The Special Meeting must comply with the notice requirements as specified in the North Carolina Open Meeting law. Special meetings shall be limited to the purpose for which they were called.

C. NOTICE of all ACCC meetings shall comply with North Carolina General Statutes §143-318.12 and §143-318.13.

D. QUORUM shall be a majority of the entire voting membership. The minimum number of members must be present continuously for a quorum to be maintained.

#### **ARTICLE VI. EXECUTIVE COMMITTEE**

The Executive Committee of the ACCC shall be composed of the Chair, First Vice Chair, Second Vice Chair and Secretary of the ACCC. Its powers of the Executive Committee shall be such powers as delegated to it from time to time by the ACCC.

#### **ARTICLE VII: COMMITTEES**

The ACCC may establish such committees, as it deems necessary or expedient. Committees may be established by resolution of the ACCC.

#### **ARTICLE VIII: PARLIAMENTARY AUTHORITY**

Except as otherwise provided in these by-laws, the parliamentary authority for the ACCC shall be Roberts' Rules of Order, Newly Revised.

**ARTICLE IX: AMENDMENT OF BY-LAWS.**

After initial adoption, these by-laws may be amended in whole or in part by a majority vote of a quorum of the membership of the ACCC.

DATE ADOPTED: September 3, 2013

Joel Storrow, Chairman

Chris Corl, Secretary

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